

PROB 12B
(12/98)
TRANSIER, Courtney
1:02CR00058-02

FILED
JAMES BONINI
CLERK

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U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

**United States District Court
for
District of Southern Ohio**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **Cortney Lee Transier**

Case Number: **1:02CR00058-02**

Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith
Chief United States District Judge**

Date of Original Sentence: **January 10, 2003**

Original Offense: **Conspiracy to Distribute in Excess of 100 Kilograms of Marijuana, a Class B Felony,
in violation of 21 U.S.C. § 846 and 841(a)(1) and (b)(1)(B).**

Original Sentence: **46 month(s) prison, 48 month(s) supervised release,**

Type of Supervision: **Term Of Supervised Release** Date Supervision Commenced: **October 7, 2005**

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows: **The supervised releasee shall reside in a Residential Reentry Center in the work release component for a term of four months. While in the program, the supervised releasee must abide by all of the program's rules and regulations, participate in all required programming, and be cooperative and compliant with the program's staff. He shall also successfully participate in substance abuse treatment while in the Residential Reentry Center.**

CAUSE

Transier was released to a 48 month term of Supervised Release on October 7, 2005. He has been supervised by this officer since that time.

Transier was placed in outpatient substance abuse treatment at Northland Intervention Center in Amelia, Ohio in August 2006. He was unsuccessfully terminated from that agency on February 7, 2007 after he became non-compliant with treatment. Specifically, Transier missed several group treatment sessions in January 2007 and failed to complete homework assignments to standard. In addition, Transier submitted a urine sample on January 31, 2007 which tested positive for cocaine use. This was his third positive drug test in a one year period.

The offender was confronted about his non-compliance. He admitted his culpability, and continued drug use. This officer asked to offender to submit to a modification of his

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supervision which would require him to reside in a Residential Reentry Center for a term of four months and to participate in continued drug treatment. Transier consulted with an attorney with the Federal Public Defender's Office as well as private counsel. He agreed to the requested modification.

It is also noted that on February 16, 2007, this officer received a telephone report from Transier's substance abuse counselor indicating another client of the agency, with whom Transier had been communicating, felt he had been threatened by Transier. The client previously reported to Northland staff that Transier had bragged to him about no longer having to go to treatment. According to the client, who was interviewed by this officer, Transier called him on February 16, 2007 and made statements implying Transier would "catch up with him" someday about his statements to Northland. The client indicated he did not feel he was in imminent danger, but believed Transier would start a physical altercation with him if they met in the future. Although Transier admitted to this officer that he spoke to the client, he denied he made threatening statements to him. This officer directed the offender to have no contact with the client in any way either directly or via a third party. The client was advised to consider filing a police report if he felt threatened, and to contact the police and this officer if Transier made further contact with him. This officer recommends the Court take no further action against the offender at this time regarding the alleged threats.

Based on the above information, this officer respectfully requests the Court grant the proposed modification. It is believed a four month term at a Residential Reentry Center will serve to punish Transier for his non-compliance, impose needed restrictions upon him, and allow him to receive treatment, work, and maintain contact with the community.

Respectfully submitted,

by



Thomas Barbeau

U. S. Probation Officer

Date: February 21, 2007

Approved,

by



John Cole

Supervising U. S. Probation Officer

Date: February 21, 2007

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

Date

2/21/07

PROB 49

UNITED STATES DISTRICT COURT
Southern District of Ohio

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

RE: TRANSIER, Courtney
1:02CR00058

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel" I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I also understand I have the right to contact an attorney prior to signing this waiver.

I hereby knowingly and voluntarily waive my right to consult an attorney before signing this waiver and I knowingly and voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

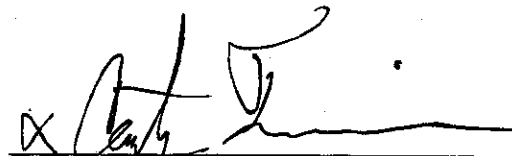
The supervised releasee shall reside in a Residential Reentry Center in the work release component for a term of four months. While in the program, the supervised releasee must abide by all of the program's rules and regulations, participate in all required programming, and be cooperative and compliant with the program's staff. He shall also successfully participate in substance abuse treatment while in the Residential Reentry Center.

Witness:



U.S. Probation Officer
Thomas A. Barbeau

Signed:



Probationer or Supervised Releasee
Courtney Transier

February 20, 2007

DATE